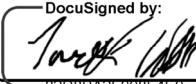
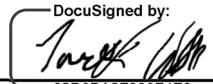


EEOC Form 5 (11/09)

CHARGE OF DISCRIMINATION		Charge Presented To: Agency(ies) Charge No(s):
<p>This form is affected by the Privacy Act of 1974. See enclosed Privacy Act Statement and other information before completing this form.</p>		<input type="checkbox"/> FEPA <input checked="" type="checkbox"/> EEOC
and EEOC		
State or local Agency, if any		
Name (indicate Mr., Ms., Mrs.) <b>Williams, Tareck</b>		Home Phone (Incl. Area Code)
Street Address <b>Easton PA 18042</b>	City, State and ZIP Code	
Named is the Employer, Labor Organization, Employment Agency, Apprenticeship Committee, or State or Local Government Agency That I Believe Discriminated Against Me or Others. (If more than two, list under PARTICULARS below.)		
Name <b>Pipeliner Local 798</b>		No. Employees, Members <b>&gt;500</b>
Street Address <b>4823 S 83<sup>rd</sup> E Ave Tulsa OK 74145</b>	City, State and ZIP Code	
DISCRIMINATION BASED ON (Check appropriate box(es).)		DATE(S) DISCRIMINATION TOOK PLACE Earliest <b>April 2017</b> Latest <b>Present</b>
<input checked="" type="checkbox"/> RACE <input checked="" type="checkbox"/> COLOR <input type="checkbox"/> SEX <input type="checkbox"/> RELIGION <input type="checkbox"/> NATIONAL ORIGIN <input checked="" type="checkbox"/> RETALIATION <input type="checkbox"/> AGE <input type="checkbox"/> DISABILITY <input type="checkbox"/> GENETIC INFORMATION <input type="checkbox"/> OTHER (Specify) <b>Hostile Work Environment &amp; Penn Human Relations Act and 42 USC 1981</b>		<input type="checkbox"/> CONTINUING ACTION
THE PARTICULARS ARE (If additional paper is needed, attach extra sheet(s)):		
<ol style="list-style-type: none"> <li>I. See attached Statement of Harm related to the experiences of Tareck Williams (williamstareck@gmail.com).</li> <li>II. Mr. Williams is bringing complaints on behalf of himself and for all others similarly situated being Black or Brown individuals who identify as or believe to be African American or of African American ancestry.</li> <li>III. Mr. Williams is bringing complaints under state and federal law based on disparate treatment and disparate impact discrimination, retaliation, and a hostile work environment, on the basis of his race and color, in violation of Title VII and the Pennsylvania Human Relations Act and other state human rights acts and 42 USC 1981.</li> <li>IV. Mr. Williams is alleging that the Union fails to provide a safe working environment to men and women of color, fails to promote men and women of color, allows an intentional hostile work environment to people of color and retaliates when complaints are made.</li> <li>V. The union has intentionally created an environment of all white leadership that prevents men and women of color from moving up and advancing in leadership positions and in the Union in general.</li> </ol>		
<p>I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or phone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.</p> <p>I declare under penalty of perjury that the above is true and correct.</p> <p>9/18/2023</p> <p>Date</p>		<p>NOTARY – When necessary for State and Local Agency Requirements</p> <p>I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief.</p> <p>SIGNATURE OF COMPLAINANT</p> <p>Subscribed and sworn to before me this date (month, day, year)</p>
<p>DocuSigned by:</p> <p></p> <p>9/18/2023</p> <p>02D8BA2F998F4E9...</p> <p>Charging Party Signature</p>		

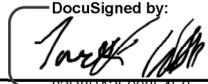
EEOC Form 5 (11/09)

<b>CHARGE OF DISCRIMINATION</b>		Charge Presented To: <input type="checkbox"/> FEPA	Agency(ies) Charge No(s):
This form is affected by the Privacy Act of 1974. See enclosed Privacy Act Statement and other information before completing this form.		<input checked="" type="checkbox"/> EEOC	
and EEOC			
<i>State or local Agency, if any</i>			
<p>There are no persons of color at any management or leadership level. This prevents individuals of color from receiving fair treatment, having access to the same job opportunities and from advancing in their positions.</p>			
<p>VI. The Union has a history of discriminatory behaviors and has failed to correct or address the ongoing problems due to its known racist history and continues to perpetuate an environment that knowingly and intentionally keeps black men and women from advancing in the Union and intentionally encourages black members to leave this Union.</p> <p>VII. The conduct is knowing and intentional as multiple members of the Union have brought the ongoing pattern of discriminatory conduct to the attention of Leadership and Management and they still refuse to take action to protect Union Members or ensure that all members are treated equally and fairly.</p> <p>VIII. The conduct is knowing and intentional as Leadership and Management knows that there is a real and significant risk to the health, safety, wellbeing and life of black members yet they take no action to protect the workers or their jobs when targeted by White Members.</p> <p>IX. The conduct is knowing and intentional as many of the Welders and/or members of leadership and management are from Southern areas of the United States which are historically discriminatory regions known to engage in violent discriminatory behavior towards Black men and women.</p> <p>X. The conduct is knowing and intentional as involves historical and stereotypical patterns of conduct and harassment aimed at targeting and discriminating against Black men and women who attempt to advance their positions in society via social and economic means.</p> <p>XI. Experiences that Mr. Williams and others have experienced the kind of discrimination:</p> <ol style="list-style-type: none"> <li>a. Being referred to as "Boy" in lieu of using his name. It is a common that Black men are referred to as "Boy" routinely. No such pejorative name is used for White men in lieu of their name.</li> <li>b. Being called a "Nigger" or hearing White co-workers and supervisors refer generically to all Black men and women as "Nigger" or "Niggers."</li> <li>c. The word "Nigger" was scrawled in graffiti all over job sites and portable restrooms.</li> <li>d. Finding a noose on a job site.</li> <li>e. Jokes about Black people 'foods' and referencing fried chicken, moonpies, water melon, chitterlings and such.</li> <li>f. Widespread distribution of monkey pictures on job sites and being referred to as monkeys,</li> </ol>			

I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or phone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.		NOTARY – When necessary for State and Local Agency Requirements
I declare under penalty of perjury that the above is true and correct.		I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief. SIGNATURE OF COMPLAINANT
9/18/2023	<p>DocuSigned by:              02D8BA2F998F4E9...</p>	SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE (month, day, year)
Date		

EEOC Form 5 (11/09)

<b>CHARGE OF DISCRIMINATION</b>		Charge Presented To: <input type="checkbox"/> FEPA	Agency(ies) Charge No(s): <input type="checkbox"/> EEOC
This form is affected by the Privacy Act of 1974. See enclosed Privacy Act Statement and other information before completing this form.		and EEOC	
<i>State or local Agency, if any</i>			
<p>gorillas or apes.</p> <p>g. References to Black male penis size and “big black cock” jokes.</p> <p>h. Widespread distribution of pictures of children from Africa and making jokes about Black families and children.</p> <p>i. Threats about Black people disappearing in certain locations or being hurt. While working for the Local 798 a Black man died under suspicious circumstances after hours. The Union claimed it was a suicide but the individual had just started working for the Union and had experienced discrimination like that described herein.</p> <p>j. When laid off, white Helpers laid off after him were hired before he and other Black Helpers were even though rehire is supposed to correlate with length of time off work.</p> <p>k. White Helpers were given preferential notification of jobs to bid on job opportunities.</p> <p>l. White Helpers would be awarded jobs even when the better bid was submitted by a Black Helper.</p> <p>m. White Helpers were allowed to work fulltime hours while he and other Black Helpers were not allowed to get to full time hours each year.</p> <p>n. White Helpers with less experience were selected to go to the locations that had higher scale pay.</p> <p>o. White Helpers who had less than 5 years of experience were allowed to obtain Isolated Journeymen books for jobs that Black Helpers with more than 5 years of experience were denied.</p> <p>p. When Black Members went as to work in building trades at a site White Welders with Local 798 made it known that Black men were not supposed to be working in that position.</p> <p>q. White workers were paid overtime, often under the table and Black workers were denied overtime.</p> <p>XII. Mr. Williams and all others similarly situation have been discriminated against because of, race and color, being a Black, African American Men and Women, and in retaliation for their complaints of discrimination in violation of Title VII of the Civil Rights Act of 1964, as amended, the Pennsylvania Human Relations Act, and any other applicable state Human Rights or Anti-Discrimination Act and 42 USC 1981.</p>			

<p>I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or phone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.</p> <p>I declare under penalty of perjury that the above is true and correct.</p> <p>9/18/2023</p> <p>Date</p>		<p>NOTARY – <i>When necessary for State and Local Agency Requirements</i></p> <p>I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief.</p> <p>SIGNATURE OF COMPLAINANT</p> <p>SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE (month, day, year)</p>
<p>DocuSigned by:</p>  <p>02D8BA2F998F-4E9...</p> <p>Charging Party Signature</p>		

## **Tareck Williams**

### **Statement of Harm**

Tareck Williams is a 33-year-old African American man who has been a member of Pipeliners Local Union 798 (“Local 798” or the “Union”) since in or around April 2017. Mr. Williams has experienced disparate treatment and disparate impact discrimination, retaliation, and a hostile work environment, on the basis of his race and color, in violation of Title VII and the Pennsylvania Human Relations Act. He has been discriminated against, including as part of a continuing violation, from the beginning of his membership in the union, through at least July 28, 2023. Mr. Williams intends to pursue race discrimination claims on behalf of himself, and as a putative class action on behalf of all other Black and/or African American Local 798 members. Mr. Williams and other Black and/or African American Local 798 members have suffered economic and emotional harm.

### **Local 798**

Chartered in 1949 by The American Federation of Labor and Congress of Industrial Organizations (AFL-CIO), Local 798 is a trade union that provides workers to various companies building pipelines within the oil and gas sector. It represents: (i) Welders who weld together the various sections of oil and gas pipelines; (ii) Journeyman Spacers who assist in lining up and testing the pipeline; and (iii) Helpers, who assist Welders in the weld completion process. Local 798 purports to take pride in work quality and safety and meet the highest level of training.<sup>1</sup>

Throughout its history, Local 798 has engaged in a pattern of race discrimination against Black potential members and members. During its first 37 years, until 1986, the Union’s membership was made up exclusively of White males. Following litigation, the Union was forced to begin admitting Black people and women.

Since then, although it admits Black members, Local 798 has implemented a practice of marginalizing them, including by:

- Denying Black members promotion from Helper to either Welder or Journeyman Spacer on the same terms as non-Black members, including by making it nearly impossible for Black members to meet stated promotional requirements, while simultaneously assisting White members through the process or waiving the requirements for them all together;
- In the alternative, implementing a facially neutral promotion policy, that adversely impacts Black members;
- Denying Black members equal terms and conditions of employment, including but not limited to, in relation to training, compensation, overtime, job assignment, termination, and layoff; and
- Subjecting Black members to a hostile working environment.

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<sup>1</sup> Pipeliners Local Union 798, *About Pipeliners Local 798*, <https://local798.org/overview/> (last visited Aug. 31, 2023).

Mr. Williams and all other similarly situated Black members of Local 798 have been subjected to these forms of race discrimination, which have caused emotional and economic harm.

To this day, all of the Union's Stewards, Business Agents, Organizers, Elected Officers, and its Dispatcher, are White. Black members are disproportionately represented in Helper positions, and are not allowed to advance to Welder or Journeyman Spacer on the same terms as their non-Black counterparts. Although the Union has a duty of representation to all of its members, Local 798 discourages Black members from filing grievances, including through threats of retaliation. The Union also retaliates against those Black members who do complain or pursue grievances.

#### **Mr. Williams's Experience as a Union Member**

Mr. Williams is a Helper with the Union. During his six years of membership, he has honed his skills and works as a valuable team member. Despite this, he has sought promotional opportunities, including training, but has been denied.<sup>2</sup>

Mr. Williams has experienced a continuing pattern of harassment. Most recently, Mr. Williams has been subjected to daily harassment and threats at the job site, over an approximately three-month period in 2023, by Welder Daniel Palmateer, a White man, Cary Williams, a White man, and Helper Kyle Wood, a White man. Wood was also treated more favorable than Mr. Williams by Palmateer in virtually every aspect of his employment.

During this time period, Palmateer frequently threatened Mr. Williams with physical violence, including threats that he would "beat his ass" and "kill you mother fucker." Palmateer expressed his opinion on jobs in certain areas of the country, stating "that's where Black men die." Palmateer, Carty, and Wood referred to Mr. Williams as "Nigger" and shared pictures of monkeys and referred to him as a monkey.

Palmateer also routinely referred to Mr. Williams as "Boy" in lieu of using his name, or called him "Train Wreck" a derogatory play on his given name. Palmateer boasted on the job site that he had gotten other Black Helpers terminated from their Union jobs. Palmateer threatened Mr. Williams that he would soon be gone and back to the "trap."

When Williams asked Palmateer if he had a problem with Black people, Palmateer angrily replied "I do if you ain't worth a shit" and "You should be killed." He stated he thought "all of them" (referring to Black people) should be killed, and said "get rid of all those mother fuckers."

When Mr. Williams asked for opportunities to weld, Palmateer always said, "no." When Mr. Williams pointed out that a White Helper with the same experience and skills was welding, Palmateer told him, "You ain't never going to be a welder." On one occasion, a coworker convinced Palmateer to allow Mr. Williams to weld. When Mr. Williams began welding, Palmateer continued to degrade him by calling him "Boy" while making fun of his work and speaking and looking at him in an angry, aggressive manner.

Following months of harassment, on or around July 15, 2023, Palmateer told Williams he was getting laid off in two weeks. On the same day, Palmateer and other White Union members

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<sup>2</sup> Mr. Williams has successfully worked as a Journeyman through other union locals, demonstrating his ability to perform the job. This is a frequent experience of Local 798 members.

on the job site circulated images of monkeys and made references to Mr. Williams being a monkey. On or around July 19, 2023, a new welding Foreman took over and asked Williams if he wanted to stay until the end of the job. Williams replied that he did. Palmateer threatened, “You’re not staying until the end of the job if I have anything to do with it.”

His co-workers engaged in willful blindness during the discriminatory treatment. No one stepped in to help or put a stop to the treatment that Mr. Williams was subjected to and no one took action to protect him including Union Leadership and Management who were on the job site when the discrimination occurred. This is the routine practice of Union leadership to turn a blind eye to discrimination and mistreatment of Black Union Members.

On July 27, 2023, Palmateer again threatened to kill Williams and screamed profanities at him. When a co-worker attempted to calm him down, Palmateer yelled, “I want to kill this mother fucker,” while pointing at Mr. Williams. Palmateer yelled “I’ll fucking kill you, you motherfucking piece of shit....I’ll beat your fucking ass.”

On July 27, 2023, following this incident, Mr. Williams again complained of race discrimination to Union Steward, Guy Simms, and Welding Forman, Lee Allen who laughed at him.<sup>3</sup> The Union did nothing to investigate Mr. Williams’s complaint, or ensure his safety. Instead, it made good on its threats of retaliation. On July 28, 2023 Mr. Williams was laid off from the job site, while Palmateer faced no repercussions and remained on site. Guy Simms told Mr. Williams, that it is, “easier to replace” a Helper than it is a Welder, and, “there’s plenty of work out there.” Mr. Williams told his Union Steward, Guy Simms, a White man, that he wanted to file charges. Mr. Williams had to approach Simms multiple times before Simms finally gave him the documents to file a grievance. The Union provided no assistance in filing a grievance, but it routinely assists non-Black members who wish to file grievances.

When Mr. Williams asked a White co-worker why he is treated this way, the co-worker told him bluntly that they do not want black workers in the Union and are working to keep Black members out. The coworker also expressed that welding is one of the last “White people jobs” left and expressed that the White union members are trying to protect their jobs.

Although these are the most recent examples. Mr. Williams has experienced discrimination and retaliation throughout his membership with Local 798. Throughout his time with the Union, he has been denied overtime and job opportunities that were given to White coworkers. He has also been terminated from job sites or not given job assignments, even when work was available for Local 798 members. This treatment began when Mr. Williams worked his first union job. For example, while working on his first job, some coworkers invited him to hang out after work. While there, Mr. Williams was sitting on a couch and felt something on the back of his neck. He then realized his coworkers were miming hanging him, as if from a noose. Use of the N Word has been prevalent on every job site where Mr. Williams has worked. Like other Black Union members, Mr. Williams has been scheduled for fewer hours than similarly situated non-Black coworkers.

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<sup>3</sup> Mr. Williams had previously complained of race discrimination to the Union Stewards, Business Agents, and others numerous times over the years. His complaints were ignored, or he was threatened with his job if he were to pursue them. It was well-known that complaining of race discrimination would lead to layoff.

**U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION**

**NOTICE OF RIGHT TO SUE (ISSUED ON REQUEST)**

To: **Tareck Williams**  
**Easton, PA 18042**

From: **Philadelphia District Office**  
**801 Market St, Suite 1000**  
**Philadelphia, PA 19107**

EEOC Charge No.  
**530-2023-08489**

EEOC Representative  
**Legal Unit Representative**

Telephone No.

*(See also the additional information enclosed with this form.)*

**NOTICE TO THE PERSON AGGRIEVED:**

**Title VII of the Civil Rights Act of 1964, the Americans with Disabilities Act (ADA), or the Genetic Information Nondiscrimination Act (GINA):** This is your Notice of Right to Sue, issued under Title VII, the ADA or GINA based on the above-numbered charge. It has been issued at your request. Your lawsuit under Title VII, the ADA or GINA **must be filed in a federal or state court WITHIN 90 DAYS** of your receipt of this notice; or your right to sue based on this charge will be lost. (The time limit for filing suit based on a claim under state law may be different.)

Less than 180 days have elapsed since the filing date. I certify that the Commission's processing of this charge will not be completed within 180 days from the filing date.

The EEOC is terminating its processing of this charge.

**Equal Pay Act (EPA):** You already have the right to sue under the EPA (filing an EEOC charge is not required.) EPA suits must be brought in federal or state court within 2 years (3 years for willful violations) of the alleged EPA underpayment. This means that backpay due for any violations that occurred more than 2 years (3 years) before you file suit may not be collectible.

If you file suit, based on this charge, please send a copy of your court complaint to this office.

On behalf of the Commission

Digitally Signed By: Karen McDonough  
10/02/2023

**Karen McDonough**  
Deputy District Director

Enclosures(s)

cc: